

Jeff Williams, Justice of the Peace

CASE NO.

195200102598

The Park On Memorial

Plaintiff

In the Justice Court of

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Harris County, Texas

MAR 8 - 2019

Precinct 5, Plaintiff

Hon. Jeff Williams
JUSTICE OF THE PEACE 5/2

vs.

Stephanie Pryor

Defendant

PETITION FOR EVICTION

1. COMPLAINT. Plaintiff The Park On Memorial files this complaint against the above-named defendant(s) to evict defendant(s) from the plaintiff's premises, which is located in the above precinct and which is described below.

14855 Memorial Dr. #908
 Street Address or Other Description Unit No. (if any)
Houston Harris TX 77079 (404) 905-1030 10/17/83 #3254
 City County State Zip Telephone No. Date of Birth Last 4 of SS#

2. SERVICE OF CITATION. Plaintiff requests service of citation on defendant(s) by personal service at the above described premises.

☒ Landlord knows no other work or residence addresses for Defendant(s). Except the following: _____

3. GROUNDS FOR EVICTION.

☒ Non Payment of Rent. Defendant(s) have violated the rental agreement between plaintiff and defendant(s) by failure to pay their rent of \$ 1099.00 per month, for the period beginning the 1st day of March (Month) 20 19, and have refused to vacate after notice from plaintiff.

☐ Lease Contract violation. The Defendant has violated paragraph _____ of the lease as follows _____

☐ Foreclosure. Date of sale: _____ Date Deed Recorded: _____
 Amount of sale: _____ Date of notice to vacate: _____

4. The defendant(s) rent (check one) ☒ is not subsidized by the government ☐ is subsidized by the government as follows:

\$ 0 paid by the government, and \$ 1099.00 paid by the defendant(s).

5. JUDGMENT REQUESTED. Plaintiff requests judgment for plaintiff and against defendant(s) for possession of the premises and for issuance of a writ of possession, and all court costs. Additionally, plaintiff requests judgment for the plaintiff and against defendant(s) for the following:

a. ☒ Rent. Past due rent in the amount of \$ 1099.00 as calculated at time of filing and accruing from the date of filing and becoming due thereafter.

b. ☐ Attorney's Fees. Plaintiff requests judgment for attorney's fees pursuant to (check one) ☐ a written agreement, or ☐ plaintiff gave the 10-day notice per Sec. 24.006, Texas Property Code.

NOTICE TO VACATE: Date of Notice: 03/04/19; Manner of Delivery: ☐ Handed to Tenant, ☐ Mailed, ☒ Posted inside of main door.

Respectfully submitted,

By [Signature]
Signature☐ Other, explain _____

Amanda Fox - Asst. Prop. Mgr.

Print name of person signing and title

The above is the signature of: (check one) ☐ plaintiff or ☒ plaintiff's authorized agent or ☐ plaintiff's attorney

14855 Memorial Dr. Houston TX 77079 281-589-1010 _____
 Street address City State Zip Phone number Fax number

I, Plaintiff consents to copies of the answer, motions or other pleadings being sent to them by email at: _____

Subscribe and Sworn to before me on this the _____ day of MAR 8 - 2019, 20____.

[Signature]
 Notary Public in and for State of Texas -OR- Justice Court Clerk

NOTICE TO VACATE FOR NON-PAYMENT OF RENT
UTILITIES OR OTHER SUMS

Date: 03/04/2019

To: STEPHANIE PRYOR
14855 Memorial Drive #908.
Houston, TX
77079**RECEIVED****MAR 8 - 2019**Hon. Jeff Williams
JUSTICE OF THE PEACE 5/2

Apt: 908

Re: Notice to Vacate for Non-Payment of rent, utilities, or other sums TAA Lease contract dated 11/15/18
between the resident(s) named above and The Park on Memorial.

Dear STEPHANIE PRYOR:

Because you have not paid _x_ rent ___x_ allocated or sub-metered utilities and or electric bill for which you are responsible or _x_ other sums due under the lease of your dwelling unit, your rights of occupancy are hereby terminated under the provisions of your lease. You are still liable for rent and other charges you may owe under the TAA Lease contract. The unpaid sums are described as follows plus a daily late fee.

****We will only accept cashier's check or money orders. No online payments****

Date	Code	Description	Amount
03/04/2019	0100	Period Renting	11.30
03/04/2019	0100	Balance	11.30
03/04/2019	0100	RENT	1205.00
03/04/2019	0100	CONVERGENT	11.30
03/04/2019	0100	SIDING/ADMIN	11.30
03/04/2019	0100	MONTHLY	11.30
03/04/2019	0100	DRAINAGE FEE	2.35
03/04/2019	0100	TRASH FEE	1.00
03/04/2019	0100	CONCESSION	108.00
03/04/2019	0100	CEILING FEE	100.00

Total amount due \$1228.33

Demand for possession is hereby made. You are hereby given notice to vacate the dwelling on or before midnight, the 7th day of March, 2019 which is at least one day from the delivery of this notice as noted below. Your failure to move out then will result in appropriate legal action by us before the Justice of the Peace. Delay or postponement of such action does not waive your rights.

This notice to vacate is unconditional; however, if you wish to discuss possible reinstatement of your right to continue living in the dwelling, please contact us.

03/04/2019


 Owner's representative

Date notice was (check at least one)

☐ hand delivered to any one of the residents named above.

☐ sent by certified mail

☐ hand delivered to any person 16 or older residing in the dwelling.

☐ sent by registered mail

☒ posted on the inside of the dwelling main entry door (not the screen door) that has a keyless bolting device.

☐ sent by regular mail

Instructions: The Servicemembers Civil Relief Act applies to a civil proceeding in the Justice Courts. Before entering a default judgment against an individual defendant, the plaintiff must file with the court an affidavit stating whether or not the defendant is in the military service, showing necessary facts to support the affidavit, or stating that the plaintiff is unable to determine whether or not the defendant is in military service, if that is the case. The requirement for an affidavit may be satisfied by a written, signed document declared to be true under penalty of perjury. If it appears that the defendant is in military service, the court may not enter a judgment until after the court appoints an attorney to represent the defendant. If the court is unable to determine if the defendant is in military service, the court may require plaintiff to file a bond in an amount approved by the court.

A person who makes or uses an affidavit under this Act knowing it to be false, may be fined or imprisoned or both, or both, or both, or both. To obtain certificates of service or non-service under the Servicemembers' Civil Relief Act, you may access the public website: <https://www.dmdc.osd.mil/appj/scra/scraHome.do>. This website will provide the current active military status of an individual.

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Military Status Affidavit

Case No. _____ § In the Justice Court of
The Park In Memoria §
 Plaintiff §
 vs. §
Stephanie Pryor §
 Defendant § Precinct _____, Place _____

BEFORE ME, on this day personally appeared, Amanda Fox,
 who, under penalty of perjury, stated that the following facts are true:

I am the ☒ Plaintiff ☐ attorney of record for the Plaintiff in this proceeding.

☒ Stephanie Pryor, Defendant, is not in military service.

☐ _____, Defendant, is in military service.

I know this because _____

☐ I am unable to determine whether or not the Defendant is in military service.

Signed on 03/08/2019

Signature

Printed Name: Amanda Fox

Address: 4555 Memorial Drive

Houston, TX 77079

Telephone: 781-589-1010

Fax: _____

E-Mail Address: _____

THE STATE OF TEXAS §

COUNTY OF HARRIS §

SWORN TO AND SUBSCRIBED BEFORE ME on _____

[Signature]
 Clerk of the Court

NOTARY PUBLIC, State of Texas

MAR 8 - 2019

Department of Defense Manpower Data Center

Results as of : Mar-08-2019 12:30:40 PM

SCRA 4.10



Status Report Pursuant to Servicemembers Civil Relief Act

SSN:

Birth Date: Oct-XX-1983

Last Name: PRYOR

First Name: STEPHANIE

Middle Name:

Status As Of: Mar-08-2019

Certificate ID: FRXM5DM5SBM2077

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On Active Duty On Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	NA	NA
This response reflects the individual's active duty status based on the Active Duty Status Date			

Left Active Duty Within 367 Days of Active Duty Status Date			
Active Duty Start Date	Active Duty End Date	Status	Service Component
NA	NA	No	NA
This response reflects where the individual left active duty status within 367 days preceding the Active Duty Status Date			

The Member or His/Her Unit Was Notified of a Future Call-Up to Active Duty on Active Duty Status Date			
Order Notification Start Date	Order Notification End Date	Status	Service Component
NA	NA	No	NA
This response reflects whether the individual or his/her unit has received notification to report for active duty			

Upon searching the data banks of the Department of Defense Manpower Data Center, based on the information that you provided, the above is the status of the individual on the active duty status date as to all branches of the Uniformed Services (Army, Navy, Marine Corps, Air Force, NOAA, Public Health, and Coast Guard). This status includes information on a Servicemember or his/her unit receiving notification of future orders to report for Active Duty. HOWEVER, WITHOUT A SOCIAL SECURITY NUMBER, THE DEPARTMENT OF DEFENSE MANPOWER DATA CENTER CANNOT AUTHORITATIVELY ASSERT THAT THIS IS THE SAME INDIVIDUAL THAT YOUR QUERY REFERS TO. NAME AND DATE OF BIRTH ALONE DO NOT UNIQUELY IDENTIFY AN INDIVIDUAL.

Michael V. Sorrento, Director
Department of Defense - Manpower Data Center
400 Gigling Rd.
Seaside, CA 93955

The Defense Manpower Data Center (DMDC) is an organization of the Department of Defense (DoD) that maintains the Defense Enrollment and Eligibility Reporting System (DEERS) database which is the official source of data on eligibility for military medical care and other eligibility systems.

The DoD strongly supports the enforcement of the Servicemembers Civil Relief Act (50 USC App. ? 501 et seq, as amended) (SCRA) (formerly known as the Soldiers' and Sailors' Civil Relief Act of 1940). DMDC has issued hundreds of thousands of "does not possess any information indicating that the individual is currently on active duty" responses, and has experienced only a small error rate. In the event the individual referenced above, or any family member, friend, or representative asserts in any manner that the individual was on active duty for the active duty status date, or is otherwise entitled to the protections of the SCRA, you are strongly encouraged to obtain further verification of the person's status by contacting that person's Service. Service contact information can be found on the SCRA website's FAQ page (Q33) via this URL: <https://scra.dmdc.osd.mil/faq.xhtml#Q33>. If you have evidence the person was on active duty for the active duty status date and you fail to obtain this additional Service verification, punitive provisions of the SCRA may be invoked against you. See 50 USC App. ? 521(c).

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This response reflects the following information: (1) The individual's Active Duty status on the Active Duty Status Date (2) Whether the individual left Active Duty status within 367 days preceding the Active Duty Status Date (3) Whether the individual or his/her unit received early notification to report for active duty on the Active Duty Status Date.

More information on "Active Duty Status"

Active duty status as reported in this certificate is defined in accordance with 10 USC ? 101(d) (1). Prior to 2010 only some of the active duty periods less than 30 consecutive days in length were available. In the case of a member of the National Guard, this includes service under a call to active service authorized by the President or the Secretary of Defense under 32 USC ? 502(f) for purposes of responding to a national emergency declared by the President and supported by Federal funds. All Active Guard Reserve (AGR) members must be assigned against an authorized mobilization position in the unit they support. This includes Navy Training and Administration of the Reserves (TARs), Marine Corps Active Reserve (ARs) and Coast Guard Reserve Program Administrator (RPAs). Active Duty status also applies to a Uniformed Service member who is an active duty commissioned officer of the U.S. Public Health Service or the National Oceanic and Atmospheric Administration (NOAA Commissioned Corps).

Coverage Under the SCRA is Broader in Some Cases

Coverage under the SCRA is broader in some cases and includes some categories of persons on active duty for purposes of the SCRA who would not be reported as on Active Duty under this certificate. SCRA protections are for Title 10 and Title 14 active duty records for all the Uniformed Services periods. Title 32 periods of Active Duty are not covered by SCRA, as defined in accordance with 10 USC ? 101(d)(1).

Many times orders are amended to extend the period of active duty, which would extend SCRA protections. Persons seeking to rely on this website certification should check to make sure the orders on which SCRA protections are based have not been amended to extend the inclusive dates of service. Furthermore, some protections of the SCRA may extend to persons who have received orders to report for active duty or to be inducted, but who have not actually begun active duty or actually reported for induction. The Last Date on Active Duty entry is important because a number of protections of the SCRA extend beyond the last dates of active duty.

Those who could rely on this certificate are urged to seek qualified legal counsel to ensure that all rights guaranteed to Service members under the SCRA are protected.

WARNING: This certificate was provided based on a last name, SSN/date of birth, and active duty status date provided by the requester. Providing erroneous information will cause an erroneous certificate to be provided.

JUSTICE COURT CIVIL CASE INFORMATION SHEET (4/13)

CAUSE NUMBER (FOR CLERK USE ONLY): _____

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(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

MAR 8 - 2019

A civil case information sheet must be completed and submitted when an original petition is filed to initiate a new suit. The information should be the best available at the time of filing. This sheet, required by Rule of Civil Procedure 502, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet.		2. Names of parties in case.	
Name: <u>Amanda Fox</u>	Telephone: <u>281-589-1010</u>	Plaintiff(s): <u>The Park on Memorial</u>	
Address: <u>4855 Memorial Dr.</u>	Fax: <u>N/A</u>	Defendant(s): <u>Stephanie Pryor</u>	
City/State/Zip: <u>HOUSTON TX 77079</u>	State Bar No: <u>N/A</u>		
Email: <u>ParkOnMemorial@FingerCompanies.com</u>			
Signature: <u>Amanda Fox</u>		[Attach additional page as necessary to list all parties]	
3. Indicate case type, or identify the most important issue in the case (select only 1).			
<input type="checkbox"/> Debt Claim: A debt claim case is a lawsuit brought to recover a debt by an assignee of a claim, a debt collector or collection agency, a financial institution, or a person or entity primarily engaged in the business of lending money at interest. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.		<input checked="" type="checkbox"/> Eviction: An eviction case is a lawsuit brought to recover possession of real property, often by a landlord against a tenant. A claim for rent may be joined with an eviction case if the amount of rent due and unpaid is not more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	
<input type="checkbox"/> Repair and Remedy: A repair and remedy case is a lawsuit filed by a residential tenant under Chapter 92, Subchapter B of the Texas Property Code to enforce the landlord's duty to repair or remedy a condition materially affecting the physical health or safety of an ordinary tenant. The relief sought can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.		<input type="checkbox"/> Small Claims: A small claims case is a lawsuit brought for the recovery of money damages, civil penalties, personal property, or other relief allowed by law. The claim can be for no more than \$10,000, excluding statutory interest and court costs but including attorney fees, if any.	